

**STATE BOARD OF FUNERAL AND CEMETERY SERVICE BOARD MEETING
THURSDAY FEBRUARY 7, 2013
INDIANA GOVERNMENT CENTER SOUTH, ROOM W064
302 W WASHINGTON STREET, W064
INDIANAPOLIS, IN 46204**

CALL TO ORDER

The meeting was called to order at 11:10 a.m. by Paul St. Pierre, pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

BOARD MEMBERS PRESENT: Paul St. Pierre, Chairman
Samuel Frain
Matthew Drury
Theodore Mau
Roland Cutter
Anne M. Patterson

BOARD MEMBER ABSENT: David McComb, Vice Chairman
James Todd
John Gerlach

STATE OFFICIALS PRESENT: Tracy Hicks, Board Director
Rae Harman, Assistant Board Director
Kevin McDowell, Deputy Attorney General

ADOPTION OF THE AGENDA

The February 7, 2013 agenda was adopted as amended.

Frain/Cutter
6/0/0
Motion carried.

ADOPTION OF THE MINUTES OF AUGUST 2, 2012 AND OCTOBER 4, 2012 MEETING OF THE BOARD

The minutes of the August 2, 2012 and October 4, 2012 meetings of the board were adopted.

Drury/Cutter
6/0/0
Motion carried.

ADMINISTRATIVE HEARING IN THE MATTER OF SAMUEL HALL, FD01001942, SBFCS 07-11

A motion was made and seconded to deny Respondent's petition to have his probation withdrawn. Further, Respondent's license shall remain on Indefinite Probation until he has completed two (2) crash law courses. The courses must be completed by December 31, 2013.

Frain/Patterson
6/0/0
Motion carried.

ADMINISTRATIVE HEARING IN THE MATTER OF MACER-HALL FUNERAL HOME, FH10100010, SBFCS 07-12

A motion was made and seconded to deny Respondent's petition to have probation withdrawn. Further, Respondent's license shall remain on Indefinite Probation until he has completed two (2) crash law courses. The courses must be completed by December 31, 2013.

Frain/Cutter
6/0/0
Motion carried.

ADMINISTRATIVE HEARING IN THE MATTER OF EUGENE WAGNER, FD29600119 SBFCS 10-05

A motion was made and seconded to approve Respondent's petition to have his probation withdrawn.

St. Pierre/Cutter
3/1/1
Frain voted against
Drury abstained
Motion failed.

A motion was made and seconded to approve Respondent's petition to have his probation withdrawn.

St. Pierre/Cutter
4/0/1
Drury abstained
Motion carried.

OFFICE OF THE ATTORNEY GENERAL REPORT

Written report will be provided via e-mail.

APPLICATION FOR FUNERAL HOME LICENSE AND CERTIFICATE OF AUTHORITY

A motion was made and seconded to approve the application for funeral home license and certificate of authority in the matter of Indiana Green Burial (Formerly Bloomington Cremation Society, LLC).

Patterson/Cutter
4/0/1
Drury abstained
Motion carried.

APPLICATIONS FOR RENEWAL

A motion was made and seconded to approve the application for renewal in the matter of Jay Dee Cree, FD01013183

Drury/Frain
5/0/0
Motion carried.

A motion was made and seconded to approve the application for renewal on indefinite probation with no right to petition for removal until released from criminal probation in the matter of Gary S. Hall, FD20700077.

Drury/Frain
5/0/0
Motion carried.

A motion was made and seconded to approve the application for renewal in the matter of Helen C. Keiner, FD20000321

Drury/Cutter
5/0/0
Motion carried.

A motion was made and seconded to approve the application for renewal pending ten hours of in-class continuing education in the matter of Markt L. Lytle, FD08700010

Frain/Drury
5/0/0
Motion carried.

A motion was made and seconded to approve the application for renewal pending thirty hours of continuing education and a crash review law course in addition to the thirty hours in the matter of Marc J. Mosqueda, FD08800240

Frain/Cutter
5/0/0
Motion carried.

A motion was made and seconded to approve the application for renewal pending passing the funeral director examination in the matter of Scott A. Vollmer, FD01019888

Drury/Frain
5/0/0
Motion carried.

A motion was made and seconded to deny the application for renewal in the matter of Terry L. Warner, FD20400086 do to the fact that he answered all three renewal questions "no" when in fact he should have answered "yes" to all three questions.

Frain/Cutter
5/0/0
Motion carried.

A motion was made and seconded to approve the application for renewal in the matter of Derek J. Sadler, FI21100041

Frain/Drury
5/0/0
Motion carried.

APPLICATIONS FOR FUNERAL DIRECTOR LICENSE

A motion was made and seconded to approve the application for funeral director license in the matter of Derek J. Sadler

Frain/Drury
5/0/0
Motion carried.

A motion was made and seconded to approve the application for funeral director license in the matter of James M. Rees

Drury/Cutter
5/0/0
Motion carried.

A motion was made and seconded to approve the application for funeral director license in the matter of Karolee Gregerson.

Drury/Cutter
5/0/0
Motion carried.

APPLICATION FOR FUNERAL DIRECTOR INTERN LICENSE

A motion was made and seconded to approve the application for funeral director intern license in the matter of Jason B. Clark.

Drury/Frain
5/0/0
Motion carried.

CONSIDERATION OF LSA DOC. #12-198

A motion was made and seconded to approve LSA Doc. #12-198.

Patterson/Frain
6/0/0
Motion carried.

CONSIDERATION OF BOARD POLICY REGARDING ELECTRONIC PARTICIPATION IN MEETINGS

A motion was made and seconded to approve an electronic participation policy as follows.

Frain/Mau
6/0/0
Motion carried.

Pursuant to Ind. Code § 5-14-1.5-3.6, the State Funeral and Cemetery Service Board (hereafter, the "Board") adopts the following Policy regarding electronic participation by Board members during a Board meeting. This Policy was adopted by the board at its meeting of February 7, 2013, effective upon passage.

This Policy is promulgated with the intent and applied so as to:

- A. Balance ease of Board member access to and participation in orderly proceedings, especially where there are occurrences that pose impediments to physical attendance;
- B. Follow Ind. Code § 5-14-1.5-3.6, and any amendments thereto, in a manner consistent with the requirements of the Open Door Law;
- C. Aid in recruitment of Board members on a statewide basis whose ability to participate electronically in some meetings would further enhance the attainment and maintenance of balanced geographical representation; and
- D. Encourage Board members to physically attend meetings whenever possible, particularly when an adjudication is scheduled.

I. POLICY PROVISIONS

1. At least four (4) Board members must be physically present at the designated meeting site for the Board meeting.
2. Where multiple Board members request electronic participation for a Board meeting, and there is the possibility the Board may not have the required number of Board members physically present at the Board meeting site, the Board's Chair shall determine which Board members may attend the Board meeting via electronic means pursuant to this Policy.

3. A Board member wishing to attend a meeting via electronic means shall notify the Board Director reasonably in advance of the Board meeting.
4. A Board member participating via electronic means may do so by telephone, computer, video conferencing, or any other method of communication that allows for simultaneous communication and is capable of being recorded by members of the public present at the designated meeting site.
5. A Board member participating in a meeting via electronic means pursuant to this policy is not required to do so in a setting that is open to the public.
6. The Board Director is delegated to supervise and coordinate electronic participation by Board members pursuant to this Policy.
7. Each Board member must physically attend at least one (1) Board meeting annually. Physical attendance must occur during the calendar year.
8. A Board member is not precluded from attending a Board meeting via electronic means pursuant to this Policy until such Board member physically attends a Board meeting in a calendar year.
9. For a Board member appointed or designated after the beginning of a calendar year, the appointed or designated Board member must physically attend a Board meeting within the one-year anniversary of the Board member's appointment or designation.
10. A Board member participating via electronic means under this Policy is considered present at the Board meeting and may vote at the Board meeting on any matter.
11. A Board member participating via electronic means may cast the deciding vote on any matter properly before the Board.
12. Where at least one (1) Board member is participating via electronic means pursuant to this Policy, all votes of the Board will be taken by roll call.
13. This Policy does not create a right for the public to observe and record an executive session of the Board conducted pursuant to I.C. § 5-14-1.5-6.1, or any other applicable law.

II. REVIEW AND AMENDMENT

This Policy shall remain in full force and effect unless amended by the Board in an open meeting.

DISCUSSION OF THE BALANCE REVIEW PROCESS FOR THE PRENEED CONSUMER PROTECTION FUND AND THE CONSUMER PROTECTION FUND FOR CEMETERY MAINTENANCE

Tabled.

IVY TECH COMMUNITY COLLEGE NOTIFICATION OF CURRICULUM CHANGE

A motion was made and seconded to approve the curriculum change.

Frain/Cutter
5/0/0
Motion carried.

VERIFIED COMPLAINT REQUESTING RESTITUTION FROM THE PRENEED CONSUMER PROTECTION FUND

- A. Mary Jane Hite for Alfred Mason Freeland**
Re: Northeast Indiana Cremation Society, CR30000006 (Closed)

Tabled due to lack of voting members.

REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES

A motion was made and seconded to approve the following continuing education.

Frain/St. Pierre
5/0/0
Motion carried.

APPLICATION FOR RECOGNITION AS A SPONSOR OF CONTINUING EDUCATION

In It For Life, LLC, 4512 Broadmoor Drive, Lawrence, KS, 66047

- C.A.R.E.R.ing C.A.R.E.munication-Effective Arrangements, TBA, 6 ceu

Trigard Burial Vaults/Greenwood, Inc., 3901 N. Vermilion Street, Danville, IL, 61834

- Burial Vault Sales and Marketing, TBA 2013, 2 ceu
- Bronze Memorialization Sales and Marketing, TBA 2013, 1 ceu

NEW COURSES FROM PREVIOUSLY APPROVED SPONSORS

Aurora Casket Company

- Lifetimes – A Balanced Funeral Arrangement, May 22, 2013, 6 ceu

Dodge Institute For Advanced Mortuary Studies

- Dodge Managerial Seminar, March 4-5, 2013, 9 ceu
- Dodge Technical Seminar, March 7-8, 2013, 9 ceu

D.O. McComb & Sons Funeral Homes

- Exploring Ten Touchstones for Caring for the Mourner: Essential Caregiver Principles and Practices, April 24, 2013, 5 ceu

FuneralCE

- Communicating Effectively with Seniors, Ongoing, 2 ceu
- Working Ethically with Seniors, Ongoing, 3 ceu

Indiana State Coroners Training Board

- 40-Hour Medicolegal Death Investigators Course, February 8-10 and February 22-24, 2013, 40 ceu

International Cemetery, Cremation, & Funeral Association

- ICCFA Annual Convention & Exposition, April 10-13, 2013, 15 ceu

International Order of the Golden Rule (OGR)

- Growing Your Firm in Today's Economy, February 28, 2013, 1 ceu
- Employee Concerns: Funeral Home Liability & OSHA Compliance, March 28, 2013, 1 ceu
- Alternatives to Embalming, May 23, 2013, 1 ceu
- Telecommunications to Manage & Grow Your Funeral Home, September 26, 2013, 1 ceu
- Innovative Technology in Funeral Homes: Challenges & Victories, November 21, 2013, 1 ceu

Selected Independent Funeral Homes

- SIFH 2013 Spring Management Summit, May 1-3, 2013, 8 ceu

Vermillion County Funeral Directors Association

- Global Harmonization/Hazard Comm., April 16, 2013, 1 ceu
- Chemical Specific Standards, April 16, 2013, 1 ceu
- VA Burial Benefits 101 Flag folding, April 16, 2013, 1 ceu
- Trust Funds Vs. Insurance Pre-need, April 16, 2013, 1 ceu
- Local Fatality Management, April 16, 2013, 1 ceu
- Jewish Funeral Customs, April 16, 2013, 1 ceu
- Cemetery Oversight Act Update, April 16, 2013, 1 ceu

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 2:20 p.m.